

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**QUANTA SPECIALTY LINES  
INSURANCE COMPANY, an Indiana  
corporation**

**Plaintiffs,**

**THOMAS MOTHERWAY, individually;  
DEDE MOTHERWAY, individually;  
MOTHERWAY FAMILY TRUST, a trust;  
BEHL HOME CONSTRUCTION LLC, a  
Nevada limited liability company; and  
BEHL CONSTRUCTION LLC, a Nevada  
limited liability company.**

### **Defendants.**

**Case No.: 3:08-cv-00434-LRH-VPC**

**STIPULATION TO STAY  
PROCEEDINGS PENDING SUPREME  
COURT OF NEVADA ORDERED  
MEDIATION AND ORDER**

## STIPULATION

The above entitled parties, by and through their respective counsel of record, hereby stipulate as follows:

The subject action is styled as a declaratory relief controversy involving an underlying dispute with a claim pending in front of the Nevada Supreme Court.

23 Pursuant to the Nevada Supreme Court procedure, there is a mandatory settlement conference  
24 requirement. Brian M. McMahon, on behalf of the Defendants herein, MOTHERWAYS, met with  
25 the appointed mediator regarding the settlement conference set forth in the Nevada Supreme Court  
26 appeal, Behl Construction, LLC., v. Thomas and Dede Motherway/Motherway Family Trust, Case  
27 Number CV05-02543.

<sup>28</sup> As a result of that meeting, it became apparent that mediation at the Supreme Court level

1 would require the presence of Quanta Specialty Lines Insurance Company ("Quanta"). Brian  
2 McMahon, on behalf of the Motherways met and conferred with Behl Construction, LLC., counsel,  
3 Marsha Stephenson, and in turn, was referred to counsel for Quanta, Ramiro Morales.

4 WHEREFORE, to address the mandatory settlement conference provisions, it is clear that  
5 mediation is necessary and requires the presence of Quanta. In an effort to limit the passage of time  
6 without prejudice to Quanta or the Motherways, Quanta and the Motherways, through their counsel  
7 of record, stipulate to a stay of all proceedings in this action through and including July 31, 2009.  
8 The parties respectfully request that the Court order a stay of all proceedings through and including  
9 July 31, 2009.

10 The parties have met and conferred with their clients and the extension of time to attempt a  
11 mediated resolution of this case appears to be a reasonable and productive procedure at this time.

12 IT IS SO STIPULATED.

13 DATED this 26 day of May, 2009.

14 MORALES FIERRO & REEVES

16 By: \_\_\_\_\_

17 Ramiro Morales, Esq.  
18 Attorney for Plaintiffs,  
19 QUANTA SPECIALTY LINES  
20 INSURANCE COMPANY

21 DATED this 21<sup>st</sup> day of May, 2009.

22 McMAHON LAW OFFICES, LTD.

24 By: \_\_\_\_\_

25 Brian M. McMahon, Esq.  
26 Attorney for Defendants,  
27 THOMAS MOTHERWAY AND DEDE  
28 MOTHERWAY, individually and  
MOTHERWAY FAMILY TRUST

ORDER

IT IS SO ORDERED.

*J. Skiles*

UNITED STATES DISTRICT JUDGE  
DATED: May 27, 2009.